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March 9, 2006

BY ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, WT Docket 03-66

Dear Ms. Dortch:

On March 8, 2006, representatives from Sprint Nextel Corporation (Sprint Nextel) met with representatives of the Wireless Telecommunications Bureau.¹ We discussed Section 27.53(l) of the Commission's rules governing the broadband radio service, portions of which remain subject to reconsideration by the Commission.

Section 27.53(l) of the Commission's rules provides that for stations separated by less than 1.5 kilometers, "the new licensee shall reduce attenuation at least $67 + 10 \log(P) - 20 \log(D \text{ km}/1.5)$, or when collocated, limit the undesired signal level at the affected licensee's base station receiver(s) at the collocation site to no more than -107 dBm."² During the reconsideration phase of this proceeding, one of Sprint Nextel's predecessors in interest had advocated changing section 27.53 to impose the tighter emissions limit on both first- and later-deploying licensees. Sprint Nextel, however, supports the original formulation of section 27.53(l) of the rule for the simple reason that once Sprint Nextel commences commercial service, the public will expect to continue receiving service without interruption. The Commission, therefore, correctly limited the obligation to "new licensees" because applying the rule to the first licensee would limit the reach of service provided to an incumbent's existing customers and ignore the superior information that the later-deploying licensee possesses.

Sprint Nextel also reiterated its support for eliminating the paperwork burden that a "documented complaint" would impose on licensees. Under the current rule, licensees can only invoke a more restrictive emissions mask protection if they submit a "documented complaint" of actual interference.³ Under section 27.4, a "documented complaint" must include a certification that the complainant has contacted the operator of the offending facility and attempted to resolve the situation, must specify the nature of the interference, must include a videotape or other evidence showing the effect of the interference, and must include a motion for a temporary order to have the interfering station cease transmitting.⁴ Requiring a "documented complaint" is not warranted in this case. To minimize the burden that the "documented complaint" process imposes, section 27.53(l) should require

¹ Mariam Sorond, Tom Peters, and Trey Hanbury attended for Sprint Nextel. John Schauble, Henry Allen, Stephen Zak, Joel Taubenblatt, Peter Corea, and Nancy Zaczek attended for the Wireless Telecommunications Bureau.

² 47 C.F.R. § 27.53(l)(2).

³ *Id.*

⁴ 47 C.F.R. § 27.4.

licensees to observe a more stringent emissions mask upon receipt of a good faith written request from a nearby licensee.

Finally, Sprint Nextel reiterated its support for certain minor technical corrections to section 27.53(l), such as identifying the specific 5.5 MHz measuring bandwidth necessary to determine compliance with emissions mask applicable to collocated stations. Please associate this submission with the above-referenced docket.

Sincerely,

A handwritten signature in dark ink, appearing to read 'T. Hanbury', with a stylized flourish at the end.

Trey Hanbury, Esq.
Director, Sprint Nextel Corporation

CC: John Schauble, Henry Allen, Stephen Zak, Joel Taubenblatt, Peter Corea, Nancy Zaczek